Docket No.: PF-0247-2 CON

Response Under 37 C.F.R. 1.116 - Expedited Procedure Examining Group 1642

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 3, 2004

By: MR MC

Printed: Lisa McDill

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

Hillman et al.

Title:

TUMORIGENESIS PROTEIN

Serial No.:

09/848,915

Filing Date:

May 4, 2001

Examiner:

Huff, S.

Group Art Unit:

1642

Mail Stop Appeal Brief-Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR ORAL HEARING

Sir:

Further to the Examiner's Answer dated December 3, 2003, in the above-identified application on appeal, Applicants respectfully request an Oral Hearing on Appeal before the Board of Patent Appeals and Interferences.

Please charge Deposit Account No. 09-0108 the statutory fee under 37 C.F.R. § 1.17(d) in the amount of \$290.00. If the USPTO determines that an additional fee is necessary, please charge any required fee to Deposit Account No. 09-0108.

Respectfully submitted,

INCYTE CORPORATION

Date: February 3, 2004

Susan K. Sather

Reg. No. 44,316

Direct Dial Telephone: (650) 845-4646

Customer No.: 27904 3160 Porter Drive

Palo Alto, California 94304 Phone: (650) 855-0555 Fax: (650) 845-4166

119015

1

09/848,915

05/28/2004 GDUCKETT 00000010 090108 09848915

01 FC:1403

290.00 DA